IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	Art Unit: 1651
LUND, et al.	)	Examiner: WEBER, Jon
Serial No.: 09/995,636	)	Washington, D.C.
Filed: November 29, 2001	)	November 25, 2003
For: INHIBITION OF INVASIVE REMODELLING	)	Docket No.: LUND=1A
	)	Confirmation No.: 3212

ELECTION WITH TRAVERSE

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S i r :

In response to the restriction requirement mailed September 26, 2003, Applicants hereby elect group I with traverse.

The claims of groups I-IV are all drawn to methods of arresting invasive remodelling. The examiner nonetheless asserts that they involve "different steps and different kinds of interventions". However, the examiner has not shown that the differences rise to the level required by MPEP §806.04 and 808.01.

The instant application is a continuation of Lund, et al. 09/319,464. The following correlation exists between the instant claims and the '464 claims

Group	Instant	'464
I	1	64
II	4	67
III	5	68
IV	34	97
V	36	99

We received a four-way restriction, as follows:

I methods of preventing invasive remodelling with two different inhibitors, one for plasmin and one for metalloproteinase (claims 64-67, 69-71 and 73-96)

II methods using single inhibitor (claims 68, 72)
III methods of preventing invasive remodelling with two different inhibitors, one for "protease" and the other for metalloproteinase (claims 97-98)
IV method of screening (claims 99-102).

Thus, groups I and II correspond to old group I, group III to old group II, group IV to old group III, and group V to old group IV.

Since groups I and II were both searched by the Examiner of the parent case, it clearly cannot be deemed unduly burdensome to join group II to elected group I.

Claim 1 (I) recites that invasive remodelling is prevented or arrested by inhibiting both plasmin (or an active derivative thereof) and a non-murine metalloprotease, but does not specifically recite the enzyme inhibitors.

Claim 4 (II) more specifically recites how these enzyme inhibitors are accomplished, i.e., by administering a first substance which inhibits plasmin (and its active derivatives) and a second substance which inhibits a metalloprotease. Claim 4 would have been a pure subset of claim 1 except that it did not require that the metalloprotease be non-murine. Nonetheless, it was clear that inventions I and II are capable of use together and that the modes of operations are essentially identical.

Claim 5 (III) more specifically recite that both of the enzyme inhibition functions contemplated by claim 1 are performed by the same substance (denominated the "third substance" by that claim). Thus, claim 5 is essentially reciting a subset of the invention contemplated by claim 1, and complements claim 4.

Since a proper search of claim 1 requires a search of the art on both plasmin inhibitors and metalloproteinase inhibitors, we do not see how it would be burdensome to join groups II and III.

In the interest of expediting prosecution, we have decided to make claims 4 and 5 dependent on claim 1. This makes the

subject matter of claims 4 and 5 pure subsets of that of claim 1.

Groups I/IV appear to have a relationship in which the group I claims are actually a subgenus of the group IV claims. That is, in group IV, the proteases are identified merely as "A" and "B", whereas in group I, they are specifically plasmin and a metalloproteinase. The two inventions are thus related.

We do not traverse the I/V restriction. Thus, we are requesting joinder of groups II-IV to group I.

Respectfully submitted,

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SECOND PRELIMINARY AMENDMENT

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Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 11 of this paper.